
IN THE SENATE OF THE UNITED STATES,

AUGUST 1, 1850.

Read twice, and referred to the Committee on Public Lands.

DECEMBER 23, 1850.

Reported with amendments, viz: strike out the parts within [brackets] and insert those printed in *italics*.

AN ACT

To grant the right of way to the Gainesville and De Kalb Plank Road Company.

1 *Be it enacted by the Senate and House of Represen-*
2 *tatives of the United States of America in Congress*
3 *assembled,* That the right of way is hereby granted to
4 the Gainesville and De Kalb Plank Road Company, for a
5 plank road contemplated by said company to be con-
6 structed from Gainesville, Alabama, to De Kalb, Missis-
7 sippi; and the said company is hereby authorized to locate
8 said plank road through any of the public lands of the
9 United States which may be on the route which may be
10 selected for the location of said road; and the said com-
11 pany is hereby authorized to survey and mark through the
12 said public land the tract of said road, one hundred feet in
13 width; [and the same] *And the route of said road shall*

14 *be designated and marked on the ground by plain land*
 15 *marks within the period of ten months from the passing*
 16 *of this act ; and a copy of the notes of survey and plat*
 17 *thereof, with a description of said landmarks, shall be*
 18 *transmitted to the proper local land offices, and to the*
 19 *General Land Office at Washington City, within ninety*
 20 *days after the completion of the same, and thereupon the*
 21 *land so designated* shall be reserved from sale by the Gene-
 22 ral Government, and the title whereof shall be vested in
 23 the State where such land shall lie, for the use of said plank
 24 road forever, and for no other use whatever.

1 [SEC. 2 *And be it further enacted,* That the said
 2 Gainesville and De Kalb Plank Road Company shall
 3 have the privilege, and the same is hereby granted to
 4 them, to cut and use all such timber, and to use all earth,
 5 stone, sand, gravel and other materials on the public land
 6 of the United States which may be necessary for the con-
 7 struction or repair of said road, and to build bridges, or
 8 to construct buildings, truss work, or other erections, such
 9 as the same may require, and use such water as may be
 10 wanted, and cross such streams as shall be necessary for
 11 the completion and use of said road; and when a bridge
 12 shall cross a navigable stream, said bridge shall be so
 13 constructed as to let boats of all kinds pass and repass at
 14 any stage of water whatever ; and when said plank road

15 shall be completed, shall convey the mails of the United
 16 States on such terms as the Postmaster General shall be
 17 able to contract for similar services with other plank road
 18 companies ; and further, to be compelled to carry, in time
 19 of war, such munitions of war and troops as the General
 20 Government of the United States may desire to transport
 21 thereon, at a fair and reasonable compensation.]

1 SEC. 2. *And be it further enacted, That so long as*
 2 *the public lands in the vicinity of said road shall remain*
 3 *unsold, the said company shall have the right to take from*
 4 *any portion thereof, within five miles from the route of said*
 5 *road, all such materials of earth, stone, or wood as may*
 6 *be necessary or convenient for the construction and repair*
 7 *of said road and the fixtures thereof, doing thereon no*
 8 *unnecessary damage or waste.*

1 SEC. 3. *And be it further enacted, That the grants*
 2 *herein contained, and all rights and privileges secured*
 3 *hereby, shall cease and determine unless the road be begun*
 4 *within two years and completed within ten years thereaf-*
 5 *ter; and if the said road shall at any time after its com-*
 6 *pletion be discontinued or abandoned by said company,*
 7 *the grants hereby made, and all rights and privileges here-*
 8 *by secured, shall cease and determine.*

Passed the House of Representatives: *July 31, 1850.*

Attest :

RICHARD M. YOUNG, *Clerk.*